

THURSDAY, APRIL 2, 1987

TWENTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Reverend Glenn Forsee, First Assembly of God, Shelbyville, Tennessee..

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--97.

The Speaker announced that Representative Davis (Knox) was excused because of business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

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656--To regulate conveyance, real property securing obligations; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 259, 463, 1235 and 1239; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to to transmit to the House, Senate Joint Resolution No. 132; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolution No. 132; House Bills Nos. 259, 463, 1235 and 1239.

CALENDAR

Mr. West moved that House Bill No. 268 be placed on the Calendar for Thursday, April 9, 1987, which motion prevailed.

House Bill No. 1059--Bingo.

Mr. West moved that House Bill No. 1059 be passed on third and final consideration.

Mr. West moved to amend as follows:

AMENDMENT NO. 1

AMEND House Bill No. 1059 by amending Section 1 by inserting the words and punctuation ", upon the approval of the Secretary of State for good cause shown, " between the words "may" and "locate".

On motion, the amendment was adopted.

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Mr. Tanner moved to amend as follows:

AMENDMENT NO. 2

AMEND House Bill No. 1059 by deleting from Section 1 the language "a place" and by substituting instead the language "not more than one (1) place".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1059, as amended, passed its third and final consideration by the following vote:

Ayes	73
Noes	19
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Bushing, Byrd, Cain, Clark, Collier, Cross, Curlee, Davidson, Davis (Cocke), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gaia, Garrett, Good, Head, Henry, Hillis, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Yelton and Mr. Speaker Murray--73.

Representatives voting no were: Chiles, Coffey, Copeland, Crain, Davis (Gibson), Harrill, Hassell, Hawkins, Herron, Hobbs, Holcomb, Holt, McAfee, Nance, Stallings, Swann, Tankersley, Wolfe and Wood--19.

Representatives present and not voting were: Buck and Turner, L. (Shelby)--2.

A motion to reconsider was tabled.

House Bill No. 639--Penalties drag racing.

Mr. Burnett moved that House Bill No. 639 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrell, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Mr. Speaker Murray--95.

Representatives voting no were: Nance and Yelton--2.

A motion to reconsider was tabled.

House Bill No. 875--Energy production facilities.

Mr. Severance moved that House Bill No. 875 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 875 by deleting Section 1 in its entirety and substituting instead the following new section:

SECTION 1. Tennessee Code Annotated, Section 7-54-101, is amended by deleting subsection (4) in its entirety and substituting in lieu thereof the following:

(4) "Municipality" means any town, city, metropolitan government, county or power district of this state, and for all purposes herein except Section 7-54-103(g), shall mean a not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one or more of such local government entities.

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AND FURTHER AMEND in Section 3 by deleting from the amendatory language the words "set for in Chapter" and substituting instead the words "set forth in Chapter".

AND FURTHER AMEND by inserting the following as a new paragraph immediately preceding the existing language in Section 3:

Tennessee Code Annotated, Section 7-54-103, subsection (a), is amended by striking the second sentence thereof and substituting in lieu thereof the following:

In no case shall the rates charged to electric or other power utility subscribers not receiving energy from the energy production facility be increased to provide revenue for the repayment of the loans or bonds authorized by this Chapter.

AND FURTHER AMEND by deleting from the first sentence of the amendatory language of SECTION 4 the words "under the provisions of this chapter" and substituting instead the words "or any contract authorized by Tennessee Code Annotated, Section 7-54-105(a)(3)".

AND FURTHER AMEND by deleting from the second sentence of the amendatory language of SECTION 4 the words "under the provisions of this chapter" and substituting instead the words "or entering into any contract authorized by Tennessee Code Annotated, Section 7-54-105(a)(3)".

AND FURTHER AMEND by deleting from the second sentence of the amendatory language of Section 7 the words "not impair or prejudice any" and substituting instead the words "not be impaired or prejudiced by any".

AND FURTHER AMEND by inserting in the amendatory language of SECTION 8 the words "or executing any contract authorized by this subparagraph" after the words "operating an energy production facility" and before the words ",for the disposal of solid waste".

AND FURTHER AMEND by deleting the amendatory language of Section 9 and substituting instead the following new amendatory language:

All contracts for the construction, operation or maintenance of an energy production facility and all contracts authorized by Tennessee Code Annotated, Section 7-54-105(a)(3), shall be exempted from any applicable competitive bidding laws of this state which shall be applicable to a municipality, and such ordinances or resolutions of any municipality which require competitive bidding whenever:

(a) the governing body of a municipality shall find and determine:

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(1) (A) It is unlikely that such exemption will encourage favoritism in the awarding of such contracts or substantially diminish competition for such contracts; and

(B) The awarding of such contracts pursuant to the exemption will result in substantial cost savings to the contracting municipality. In making such finding, the governing body of a municipality may consider the type, cost, amount of the contract, number of persons available to bid and such other factors the governing body of a municipality may deem appropriate; or

(2) that such exemption will preserve or increase employment within its boundaries or otherwise promote the local economy; or

(3) emergency conditions, as so determined by the governing body of a municipality, require the prompt execution of such contracts; or

(b) The governing body of a municipality shall find and determine that the following alternative procedure should be used. Quotations and other relevant information pertaining to the proposed contract shall be solicited through a request for proposals prepared by the municipality which shall be spread upon the minutes and be made a public record of the municipality. The award of such contract may be made to a responsive and responsible vendor whose proposal is determined by the proposing municipality to be the best evaluated offer resulting from negotiation and taking into consideration the relative importance of price and other evaluation factors set forth in the request for proposals. If provided in the request for proposals, the responding proposal shall be opened so as to avoid disclosure of contents to competing offerors and kept secret during the process of negotiation. However, all proposals that have been submitted shall be open for public inspection after the contract is awarded, except for trade secrets and confidential information contained in the proposals and identified as such. As provided in the request for proposals and under rules adopted by the municipality, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award. Offerors must be accorded fair treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submission and before award for the purpose of obtaining the best and final offers.

AND FURTHER AMEND in Section 10 by deleting from the amendatory language the words:

"acting on behalf of any one or more such municipal corporations"

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and substituting instead the words:

authorized by the laws of Tennessee to act for the benefit or on behalf of any one or more of such local governments

AND FURTHER AMEND by inserting the following new sections immediately before the severability clause section and numbering the sections accordingly:

SECTION __. Tennessee Code Annotated, Section 7-54-108, is amended by adding at the end thereof the following sentence:

Provided, however, that nothing contained in this section or other laws of the state of Tennessee shall be construed to prohibit or restrict municipalities from contracting with one another according to such terms as such municipality shall agree are reasonable, necessary and appropriate to implement the purposes and intent of this chapter and other laws of the state of Tennessee pertaining to the collection and disposal of solid waste and the construction, operation and maintenance of energy production facilities.

SECTION __. Tennessee Code Annotated, Title 7, Chapter 54, Part 1, is amended by adding the following new section:

Section __. Any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one or more of counties, cities and towns pursuant to the provisions of this act are authorized to participate in applicable approved local, joint and/or regional solid waste recovery disposal systems pursuant to Tennessee Code Annotated, Title 7, Chapter 58, Part 1. When acting pursuant to Tennessee Code Annotated, Title 7, Chapter 58, Part 1, such corporation shall have and exercise all authority granted to counties, cities, town and local governments by the terms and provisions of such chapter.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 875 by adding the following language as a new section to be appropriately numbered immediately preceding the severability clause, and by renumbering subsequent sections accordingly:

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SECTION ____ Tennessee Code Annotated, Section 7-54-104, is amended by adding the following language at the end of the section:

Any not-for-profit corporation acting by or on behalf of a municipality during any stage of the construction, acquisition, development, or operation of an energy production facility is encouraged to utilize Tennessee labor, products and materials to the greatest extent possible and practical so as to promote or enhance the employment opportunities in or provide economic benefits to such municipality.

On motion, the amendment was adopted.

Thereupon, House Bill No. 875, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 312

House Bill No. 312--Annex across county lines.

Mr. Cross moved that House Bill No. 312 be passed on third and final consideration.

Mr. Cross moved that House Bill No. 312 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

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House Bill No. 1238--Licensing of motor vehicles.

Mr. Rhinehart moved that House Bill No. 1238 be passed on third and final consideration.

Mr. Chiles moved that House Bill No. 1238 be re-referred to the Committee on Finance, Ways and Means.

Mr. Rhinehart moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	71
Noes	21

Representatives voting aye were: Bell, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Hassell, Head, Herron, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, Miller, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Severance, Stafford, Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Yelton and Mr. Speaker Murray--71.

Representatives voting no were: Bewley, Bragg, Chiles, Coffey, Frensley, Good, Harrill, Hawkings, Henry, Holcomb, Lawson, Montgomery, Moody, Moore (Shelby), Nance, Robinson (Washington), Scruggs, Swann, Tankersley, Wolfe and Wood--21.

Thereupon, House Bill No. 1238, passed its third and final consideration by the following vote:

Ayes	97
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Moody,

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Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--97.

Representative voting no was: Montgomery--1.

A motion to reconsider was tabled.

House Bill No. 234--Consolidated Retirement System.

Mr. Rhinehart moved that House Bill No. 234 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 234 by deleting the current provisions and inserting the following:

Section 1.

() (1) A retirement incentive plan shall operate to benefit: state general employees including general employees employed by institutions of higher education, teachers employed by the Tennessee Department of Education, state policemen and state wildlife officers as such classifications are defined by T.C.A. 8-39-101 et seq.

(2) Employees eligible to participate in the plan shall be current employees who have been employed full-time by the state for the past five (5) years and who satisfy one of the following criteria during the time the plan is in effect:

(A) thirty (30) years or more of TCRS retirement service credit, the last ten (10) of which shall be state service; or

(B) age sixty (60) or over with ten (10) or more years of TCRS retirement service credit, the last ten (10) of which shall be state service; or

(C) age fifty-five (55) or over with twenty-five (25) or more years of TCRS retirement service credit, the last ten (10) of which shall be state service; or

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(D) if employed as state policemen or state wildlife officers, age fifty-five (55) or over with ten (10) or more years of TCRS retirement service credit, the last ten (10) of which shall be state service.

(3) The plan shall operate for a period of ninety (90) days beginning on or after May 1, 1987 as determined by Executive Order.

(4) The purpose of the plan shall be to reward employees who choose to retire during the period the plan is in effect with a cash bonus. To be eligible to receive the bonus, the employee must terminate active state employment during the 90-day period and file an application for retirement during the 90-day period. In addition, the employee may not later be reemployed by the state except under the provisions of T.C.A. 8-36-305.

(5) This bonus shall be equal to \$2,000 plus the longevity pay the employee would receive during the 1987-88 fiscal year if he had continued to work for the state. Payment to the employee shall be made after July 1, 1987. The bonus shall not be included in determining the employee's average final compensation for retirement purposes, nor shall it be subject to retirement contributions.

(6) The Commissioner of Finance and Administration shall develop a plan for operation of the retirement incentive program to ensure that sufficient payroll savings will be generated to fund all cash bonuses provided for herein and all additional retirement liability created hereby. The plan shall provide for the lump sum payment of any additional retirement liability created by implementation of this act. The plan shall be submitted to the legislative Council on Pensions and Retirement for written comment. Upon receipt of written comment from the Council on Pensions and Retirement, but prior to implementation, the plan must be approved by the Comptroller of the Treasury and the State Treasurer.

Section 2. This Act shall be effective upon passage, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 234 by adding a new section to be appropriately numbered and to read as follows:

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Section ____ Tennessee Code Annotated, 8-36-209(b)(3) is amended by deleting the figures '4, 1986' and substituting the figures '8, 1988' and further amend by deleting the words and figures 'six hundred dollars (\$600)' and substituting instead the words and figures 'eight hundred forty dollars (\$840)'.

On motion, the amendment was adopted.

Mr. Rhinehart asked to be recorded as voting no on Amendment No. 2.

Thereupon, House Bill No. 234, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--93.

Representatives voting no were: Bragg and May--2.

A motion to reconsider was tabled.

Mr. Rhinehart moved that House Bill No. 679 be placed on the Calendar for Thursday, April 9, 1987, which motion prevailed.

House Bill No. 748--Theft Motor Vehicle plates.

On motion, House Bill No. 748 was made to conform with Senate Bill No. 828.

On motion, Senate Bill No. 828, on same subject, was substituted for House Bill No. 748.

Mr. Dixon moved that Senate Bill No. 828 be passed on third and final consideration.

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Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 828 by deleting subsection (b) in the amendatory language of Section 1 and by substituting instead the following:

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, punished by imprisonment of not more than eleven (11) months and twenty-nine (29) days.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 828, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 511--School Board Budgets.

Mr. Starnes moved that House Bill No. 511 be passed on third and final consideration.

Mr. Davidson moved to amend as follows:

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AMENDMENT NO. 1

Amend House Bill No. 511 by deleting Sections 1 and 2 in their entireties and by substituting in lieu thereof the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a)(11), is amended by adding after the first sentence the following:

"No budget shall be submitted to the local legislative body that reduces or proposes a reduction of local revenue expended per pupil in average daily membership for current operations, excluding capital outlay and debt services, below the expenditure per pupil the previous year."

SECTION 2. Tennessee Code Annotated, Section 49-3-314(c), is amended by adding a new subsection to be appropriately numbered as follows:

"() No LEA shall reduce its fiscal effort from local revenue expended per pupil in average daily membership for current operations, excluding capital outlay and debt services, as defined by the commissioner, below the expenditure provided from local revenue the previous year."

SECTION 3. This Act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 511 by adding the following new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. The provisions of this act shall not apply to a newly created LEA in any county where the county and city schools are being combined for a period of three (3) years after the creation of such LEA.

On motion, the amendment was adopted.

Thereupon, House Bill No. 511, as amended, passed its third and final consideration by the following vote:

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Ayes 89
 Noes 8

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Copeland, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--89.

Representatives voting no were: Bragg, Coffey, Collier, Crain, Curlee, Frensley, Ridgeway and Tankersley--8.

A motion to reconsider was tabled.

House Bill No. 774--Real property mortgages.

On motion, House Bill No. 774 was made to conform with Senate Bill No. 656.

On motion, Senate Bill No. 656, on same subject, was substituted for House Bill No. 774.

Mr. Tanner moved that Senate Bill No. 656 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
 Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt,

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Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

A motion to reconsider was tabled.

House Bill No. 622--Child care.

Ms. Pruitt moved that House Bill No. 622 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 622 by deleting Section 1 in its entirety and substituting for it the following language as new Section 1:

Tennessee Code Annotated Section 14-10-101(6) is amended by deleting the words, symbols, and figures "five (5) or more" and by substituting instead the words, symbols, and figures "a minimum of five (5) and a maximum of seven (7)".

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting the following language as new Section 2:

Tennessee Code Annotated Section 14-10-101(7) is amended by deleting words, symbols, and figures "eight (8) or more children under seventeen (17) years of age" and substituting instead the words, symbols, and figures "a minimum of eight (8) and a maximum of twelve (12) children and up to three (3) additional school age children who will only be present before and after school, on school holidays, on school snowdays, and during school summer vacation for".

On motion, the amendment was adopted.

Thereupon, House Bill No. 622, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg,

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Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--97.

A motion to reconsider was tabled.

House Bill No. 835--Motor vehicles.

Mr. Ivy moved that House Bill No. 835 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--96.

A motion to reconsider was tabled.

Mr. Dixon moved that House Bill No. 712 be placed on the Calendar for Thursday, April 9, 1987, which motion prevailed.

House Bill No. 375--Practice of psychology.

Mr. West moved that House Bill No. 375 be passed on third and final consideration.

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Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 375 by deleting Section 1 and Section 2 in their entirety and substituting therefore the following:

Section 1. Tennessee Code Annotated Section 63-11-206 is amended by adding a new subsection (e) as follows:

(e)(1) A temporary permit may be issued by the Board for an applicant who has successfully completed the academic course work and training for the license sought, and who is scheduled for initial written examination.

The temporary permit will allow the applicant to perform the functions specified in T.C.A. Sections 63-11-203 and 204, for which he is seeking licensure under qualified supervision.

In order to receive a temporary permit, the applicant must submit a completed application for a temporary permit with his completed application for the desired license, and all appropriate fees, to the Board.

If the applicant fails the written examination, the temporary permit shall remain valid only until the results of the written examination are available to the Board.

If an applicant passes the written examination, the permit shall remain valid until the Board grants or denies the license application. However, no temporary permit shall be valid for a period of more than one (1) year. No applicant may be issued more than one temporary permit.

(2) A temporary permit may be issued by the Board for an applicant who has a current license from another state or territory if he has:

a) successfully completed an academic course of study approved by the American Psychological Association, and;

b) successfully completed an American Psychological Association approved internship if seeking licensure for the functions specified in T.C.A. Section 63-11-203; and

c) previously taken and passed, according to Tennessee standards, the national licensing examination; and

d) a current license in another state or territory in good standing.

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The temporary permit will allow the applicant to perform the functions specified in T.C.A. Sections 63-11-203 and 204, for which he is seeking licensure under qualified supervision.

In order to receive a temporary permit, the applicant must submit a completed application for a temporary permit with his completed application for the desired license, and all appropriate fees, to the Board.

Applications for temporary permits for applicants currently licensed in another state or territory shall be reviewed and approved or denied by a current member of the Board designated by the Board to perform this function.

If an applicant is issued a temporary permit, the permit shall remain valid until the Board grants or denies the license application. However, no person shall be issued more than one temporary permit, nor shall any temporary permit be valid for a period of more than one (1) year.

(3) The fee for all temporary permits shall be set by the Board in an amount not to exceed One Hundred Dollars (\$100.00). Until such time as the Board establishes a fee by rule, the fee shall be Fifty Dollars (\$50.00).

Section 2. Tennessee Code Annotated Section 63-11-218(a) and (b) are amended by deleting said sections in their entirety and substituting therefore the following:

(a) Each licensed psychologist or psychological examiner shall pay an annual registration fee to the Board, not to exceed Seventy-Five Dollars (\$75.00) as set annually by the Board, payable in advance, for the ensuing year on or before December 31 of the year. As a condition of renewal, the Board may require that licensees establish that they have satisfied any continuing education requirements established by Board rule.

(b) When any licensee shall fail to pay the annual fee after the renewal fee becomes due and satisfy such continuing education requirements for renewal as may be established by the Board, as provided in this section, the license of such person shall be automatically revoked by the Board without further notice or hearing unless renewal is completed and all fees paid prior to the expiration of sixty (60) days from the date such renewal fees become due. Provided that any person whose license or certificate is automatically revoked as provided herein may make application in writing to the Board for the reinstatement of such license and certificate and upon good cause being shown, the Board in its discretion may reinstate such license upon payment of all past due annual registration fees, proof that any continuing education renewal requirement established by the Board has been satisfied, and upon further payment of the sum of Fifty Dollars (\$50.00).

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On motion, the amendment was adopted.

Mr. West moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 375 in Section 1 by adding the following new subsection (e)(3) and renumbering the remaining subsection:

(3) A person issued a temporary permit under this section may only render service to a patient or client functioning in the adaptive Level of 7 under Axis V of the Diagnostic and Statistical Manual (DSM)-III diagnostic scheme in the physical presence of his or her supervisor.

On motion, the amendment was adopted.

Thereupon, House Bill No. 375, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifah, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

A motion to reconsider was tabled.

House Bill No. 1017--Registration motor vehicles.

Mr. West moved that House Bill No. 1017 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

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AMENDMENT NO. 1

Amend House Bill No. 1017 by deleting subsection (c) from the amendatory language of Section 1 and substituting instead the following:

(c) The initial issuance of a special plate pursuant to this section and renewals thereof shall be made upon payment of the regular registration fee pursuant to this chapter and an additional fee of twenty-five dollars (\$25.00) and submission of information in accordance with subsection (d). Such plates may be transferred to another vehicle of the same weight class owned by the same person upon proper application being made therefor and approved by the department of revenue.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1017, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

Representatives present and not voting were: Bragg and Kernell--2.

A motion to reconsider was tabled.

House Joint Resolution No. 116--Corridor J Project.

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Mr. Jared moved that House Joint Resolution No. 116 be adopted.

Mr. Yelton moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 116 in the first resolving paragraph by deleting from lines 4 and 5 the words "Federal Highway Administration" and by substituting instead the words "American Association of State Highway and Transportation Officials".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 116, as amended, was adopted by the following vote:

Ayes	96
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--96.

Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

Mr. Swann moved that House Bill No. 360 be placed on the Calendar for Monday, April 6, 1987, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 22

Senate Bill No. 22--State Board of Accountancy.

Mr. King moved that Senate Bill No. 22 be passed on third and final consideration.

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Mr. Rhinehart moved that Amendment No. 4 be withdrawn, which motion prevailed.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 22 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ Tennessee Code Annotated, Section 62-1-108 is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) (A) Such certificate shall not entitle the applicant to engage in the practice of public accountancy until the applicant has acquired at least two (2) years of experience in public accounting under supervision of a certified public accountant with a permit to practice (including experience in the Tennessee State government in a position in which generally accepted government auditing standards are employed, while subject to the supervision of a Certified Public Accountant with a permit to practice and such experience is approved by the Comptroller of the Treasury and accepted by the Board of Accountancy) or three (3) years of other accounting experience satisfactory to the board. A masters degree in Business Administration with a major in Accounting may be deemed equivalent to one (1) year of the required experience.

(B) Continuing education requirements pursuant to Section 62-1-111 and Section 62-1-117 shall not apply to the holder of a certificate pursuant to this subsection, who has not been issued a permit to practice.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 22, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis

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(Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--97.

Representative present and not voting was: Kernell--1.

A motion to reconsider was tabled.

Senate Bill No. 313--To regulate arrest process, teachers in classroom.

Mr. West moved that Senate Bill No. 313 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

Representative voting no was: Harrill--1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 271

House Bill No. 271--Real estate brokers.

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Mr. West moved that House Bill No. 271 be passed on third and final consideration.

Mr. Bivens moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 271 by deleting subdivision (2) of subsection (b) of the amendatory language of SECTION 2 and substituting the following:

(2) Require, effective January 1, 1989, continuing education as a prerequisite for renewal of affiliate broker's and broker's licenses. Such continuing education rules shall:

A. Specify the number of hours of continuing education required of each affiliate broker and broker, not to exceed thirty (30) within a two-year period;

B. Establish criteria for approval of continuing education programs; and

C. Cover such other matters as are reasonably necessary to accomplish the purposes of this subdivision.

AND FURTHER AMEND:

by deleting SECTION 4 in its entirety and substituting the following new sections:

SECTION 4. Tennessee Code Annotated, Section 62-13-303, is amended by deleting subsections (g), (h), and (8) thereof.

SECTION 5. Section 5 of this act shall take effect on January 1, 1989. All other sections of this act shall take effect on July 1, 1987, the public welfare requiring it.

Mr. Shirley moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	54
Noes	29
Present and not voting	8

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Coffey, Collier, Crain, Davis (Cocke),

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Davis (Gibson), Drew, Gaia, Garrett, Harrill, Hassell, Henry, Hobbs, Holcomb, Holt, Ivy, Jackson, Kent, Kisber, Lawson, Long, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Peroulas, Phillips, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Webb, Wheeler, Whitson and Wolfe--54.

Representatives voting no were: Bell, Bushing, Clark, Cross, Curlee, DeBerry, Dixon, Duer, Frenslley, Good, Hawkins, Head, Hurley, Jones, U. (Shelby), Kernell, King, McAfee, Odom, Pruitt, Purcell, Robinson (Washington), Swann, Tankersley, Turner (Hamilton), West, Williams, Wood, Yelton and Mr. Speaker Murray--29.

Representatives present and not voting were: Davidson, DePriest, Ellis, Hillis, Napier, Rhinehart, Ussery and Winningham--8.

Mr. West moved that House Bill No. 271 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 87--Housing Juvenile Offenders.

On motion, House Bill No. 87 was made to conform with Senate Bill No. 537.

On motion, Senate Bill No. 537, on same subject, was substituted for House Bill No. 87.

Mr. Love moved that Senate Bill No. 537 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 537 by inserting the following language in the amendatory language of Section 1 between the word "governments" and the words "and to":

, to enter into contracts with the appropriate local, county or city government for such acquisition,

On motion, the amendment was adopted.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 537 by adding at the end of Section 1 the following sentence:

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Before any such acquisition shall take place, the county or municipal legislative body, as appropriate, shall approve such acquisition by a resolution or ordinance.

Mr. Love moved that Senate Bill No. 537 be placed on the Calendar for Monday, April 6, 1987, which motion prevailed.

OBJECTIONS -- CONSENT CALENDAR

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Dixon objected to House Bill No. 929.

Mr. Chiles objected to House Bill No. 107.

Mr. Wheeler objected to House Bill No. 301.

Mr. Naifeh objected to Senate Joint Resolution No. 130.

Under the rules, House Bills Nos. 929, 107 and 301 were placed at the foot of the Calendar for Monday, April 6, 1987.

CONSENT CALENDAR

House Bill No. 156--Upper Harpeth Regional Water Authority.

House Bill No. 892--Child care.

House Bill No. 634--Solemnization of marriages.

On motion, House Bill No. 634 was made to conform with Senate Bill No. 1165.

On motion, Senate Bill No. 1165, on same subject, was substituted for House Bill No. 634.

House Bill No. 587--Certain products of the forest transportation.

On motion, House Bill No. 587 was made to conform with Senate Bill No. 895.

On motion, Senate Bill No. 895, on same subject, was substituted for House Bill No. 587.

House Bill No. 55--Auctioneer commission.

House Bill No. 110--Trust corporation.

On motion, House Bill No. 110 was made to conform with Senate Bill No. 42.

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On motion, Senate Bill No. 42, on same subject, was substituted for House Bill No. 110.

House Joint Resolution No. 103--Demolition of WMHI administration building.

House Joint Resolution No. 110--THDA providing housing for low income and homeless.

House Joint Resolution No. 111--State department services for homeless.

House Bill No. 623--Local educational agencies.

House Bill No. 191--Issuance of license plates.

House Bill No. 1190--Public Railroad Authorities.

House Resolution No. 20--Honoring Mr. and Mrs. France Boone.

House Resolution No. 21--Congratulating Mr. and Mrs. Clifford Stout.

House Joint Resolution No. 184--Lincoln County Gridiron Association.

House Joint Resolution No. 187--Honoring Annette Anderson.

House Joint Resolution No. 188--Honoring Evelyn Miller.

House Joint Resolution No. 189--Honoring Mira Kimmelman.

House Joint Resolution No. 190--Honoring Marian Heard.

House Joint Resolution No. 191--Honoring Mildred Doyle.

House Joint Resolution No. 192--Honoring Fidelity Federal Savings Loan Association.

House Joint Resolution No. 193--Honoring Lucille Thornburg.

House Joint Resolution No. 195--Honoring Coach Gary Elkins.

House Joint Resolution No. 196--Honoring Miss Ruby Krider.

House Joint Resolution No. 199--Honoring Stephen R. Browder.

House Joint Resolution No. 200--Express sorrow Mrs. Maybelle Goad Clement.

Senate Joint Resolution No. 111--Relative to memory, Richard F. and Louise McClain Machamer.

Senate Joint Resolution No. 112--Relative to congratulating Dr. William Marking.

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Senate Joint Resolution No. 114--Relative to memory, Frank Douglas Hinton.

Senate Joint Resolution No. 115--Relative to honoring Bart Watkins.

Senate Joint Resolution No. 116--Relative to honoring Samuel G. Burgess, Jr.

Senate Joint Resolution No. 117--Relative to honoring David Farmer.

Senate Joint Resolution No. 118--Relative to honoring Timothy A. Fitzgerald.

Senate Joint Resolution No. 119--Relative to designating Year of the Constitution.

Senate Joint Resolution No. 129--Relative to memory, A.F. "Hoppy" Plunk.

Mr. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in; which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--98.

A motion to reconsider was tabled.

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UNFINISHED BUSINESS

Mr. Clark moved that House Bill No. 895 be recalled from the Committee on State and Local Government and referred to the Committee on Labor and Consumer Affairs, which motion prevailed by the following vote:

Ayes	59
Noes	31
Present and not voting	4

Representatives voting aye were: Bell, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Hassell, Head, Hillis, Holcomb, Holt, Hurley, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Long, Love, Miller, Moore (Lawrence), Naifeh, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Starnes, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix and Yelton--59.

Representatives voting no were: Bewley, Chiles, Coffey, Davis (Cocke), Drew, Duer, Frensley, Good, Harrill, Hawkins, Henry, Huskey, Kisber, Lawson, May, McAfee, Montgomery, Moody, Nance, Napier, Peroulas, Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Tankersley, Webb, Whitson, Wolfe and Wood--31.

Representatives present and not voting: Herron, Hobbs, Robinson (Hamilton) and Mr. Speaker Murray--4.

NOTICE PURSUANT TO RULE NO. 59

Pursuant to Rule No. 59, sponsor gave notice of his intention to consider the following measure from the Senate on Monday, April 6, 1987:

House Bill No. 1149--By Rhinehart

Mr. Naifeh moved that the rules be suspended for the purpose of placing House Bill No. 1211 on the Calendar for Monday, April 6, 1987, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 24--Honoring Paul and Willie R. Cates--By Whitson.

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Under the rules, House Resolution No. 24 was referred to the Committee on Calendar and Rules.

House Resolution No. 25--Congratulating Mr. and Mrs. William Heaton--By Whitson.

Under the rules, House Resolution No. 25 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 201--Honoring Austin-East High School basketball players--By Drew.

Under the rules, House Joint Resolution No. 201 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 202--Congratulating Mr. and Mrs. Jess Blakley--By Winningham.

Under the rules, House Joint Resolution No. 202 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 203--Honoring Teresa H. Coram--By Davis (Knox) and Harrell.

Under the rules, House Joint Resolution No. 203 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 204--Honoring memory Richard E. McDowell--By Hassell and Byrd.

Under the rules, House Joint Resolution No. 204 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 205--Waste Disposal Incentive Fund--By Kernell, Hillis, Bushing and Wix.

The Speaker referred House Joint Resolution No. 205 to the Committee on Conservation and Environment.

House Joint Resolution No. 206--Honoring Coach Joe Dan Wooten--By Ridgeway.

Under the rules, House Joint Resolution No. 206 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 207--Honoring memory Emory G. Henderson--By Turner (Hamilton) and Robinson (Hamilton).

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Under the rules, House Joint Resolution No. 207 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 208--Honoring memory Charles Edward McBroom--By Turner (Hamilton).

Under the rules, House Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 209--Study indigent defense counsel compensation--By Purcell, Buck, Williams, Herron, Jackson, Clark, Jared, Turner, C. (Shelby), Burnett and Moody.

The Speaker referred House Joint Resolution No. 209 to the Committee on Judiciary.

Mr. Naifeh moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 134 out of order, which motion prevailed.

Senate Joint Resolution No. 134--Congratulating Coach Pat Head Summitt and the Lady Vols.

Mr. Naifeh moved that Senate Joint Resolution No. 134 be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--98.

A motion to reconsider was tabled.

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SENATE JOINT RESOLUTIONS

(Congratulatory and Memorializing)

Senate Joint Resolution No. 133--Congratulating Christian Brothers High School cheerleading.

Under the rules, Senate Joint Resolution No. 133 was referred to the Committee on Calendar and Rules.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee have approved the following bill: House Bill No. 1250.

Ed Murray, Speaker

Jimmy Naifeh

John Chiles, Jr.

INTRODUCTION OF BILLS

House Bill No. 1249--Hamilton County Liquid Waste Pumpers--By Turner. (Hamilton), Starnes, Copeland, McAfee, Wood and Robinson (Hamilton).

Passed first consideration.

House Bill No. 1250--County Uniform Highway Law--By Winningham and Wix.

Passed first consideration.

House Bill No. 1251--Division 1, Probation Department--By Long and Wix.

Passed first consideration.

House Bill No. 1252--Sumner County safety program--By Long and Wix.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bills Nos. 31, 104 and 443.

Passed first consideration.

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HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1247--Peace officer standards and training.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1248--Charter of Gallatin.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of Senate Joint Resolution No. 130, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Thereupon, Senate Joint Resolution No. 130 was returned as requested.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 183; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 29, 325 and 617; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1173--To regulate certain income withholding; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

54--Underwriting association stablization reserve; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 91, 92, 97, 700, 1116, 1233, 1240 and 1245; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 156, 157, 158, 160, 161, 164 and 165; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

124--Relative to honoring Joe Hendrix;

125--Relative to congratulating Miss Stephanie League;

138--Relative to congratulating Betty Jean Gill;

139--Relative to congratulating Mrs. Joyce Marshall; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

243--To regulate certain transfers;

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- 317--To regulate voting, certain municipal corporations;
- 527--To regulate appointment, public defenders;
- 923--To regulate taxation, alcoholic beverages;
- 987--To exempt fire department accessories, sales and use tax;
- 1220--To amend Charter, Gallatin;
- 1225--To regulate unemployment compensation;
- 1256--To establish certain safety program, Sumner County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, April 6, 1987: House Bills Nos. 151, 497, 392, 253, 303, 624, 194, 951, 1075, 365, 702 and 894; House Joint Resolution No. 172; House Bills Nos. 27, 1043, 1211 and 360; Senate Bill No. 537; and House Bills Nos. 929, 107 and 301.

PHILLIPS, Chairman.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1248.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, April 6, 1987: House Bills Nos. 496, 1110 and 1212; Senate Joint Resolution No. 77; House Bill No. 773; House Resolutions Nos. 24 and 25; House Joint Resolutions Nos. 202, 203, 204, 206, 207 and 208; House Bill No. 1248; and Senate Joint Resolution No. 133.

PHILLIPS, Chairman.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 55, 156, 191, 234, 375, 511, 622, 623, 639, 835, 875, 892, 1017, 1059, 1190 and 1238; and House Joint Resolutions Nos. 103, 110, 111, 116, 184, 187, 188, 189, 190, 191, 192, 193, 195, 196, 199 and 200; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 29, 325 and 617.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--98.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 334 and 390 with his approval.

DAVID H. WELLES,
Counsel to the Governor.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 498, 698 and 705; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, April 6, 1987.